

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MIA STUBBLEFIELD,

Plaintiff,

vs.

KILOLO KIJAKAZI, Acting Commissioner of
Social Security,

Defendant.

8:21CV439

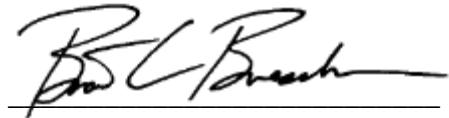
ORDER

This case is before the Court on Plaintiff's October 18, 2022, Unresisted Motion for Extension of Time to File Notice of Appeal. [Filing 29](#). As Plaintiff points out, this Motion is moot, if the Court treats her Motion to Alter or Amend Judgment Under Rule 59(e); Alternatively, Motion Under Rule 60(b), [Filing 24](#), as filed on September 16, 2022, rather than when she filed errata, Filings 26–27, on September 19, 2022. The Court notes that the Commissioner filed a Response to the Rule 59(e)/60(b) Motion on September 30, 2022, so that no party is prejudiced if the Court deems the Rule 59(e)/60(b) Motion as filed on September 16, 2022. Accordingly,

IT IS ORDERED that Plaintiff's October 18, 2022, Unresisted Motion for Extension of Time to File Notice of Appeal, [Filing 29](#), is denied as moot. The Court deems Plaintiff's Motion to Alter or Amend Judgment Under Rule 59(e); Alternatively, Motion Under Rule 60(b) as filed on September 16, 2022. Consequently, Fed. R. App. P. Rule 4(a)(4) notice of appeal deadlines apply giving Plaintiff 60 days from when this Court issues an Order addressing her Rule 59(e)/Rule 60(b) motion to file a notice of appeal.

Dated this 19th day of October, 2022.

BY THE COURT:



Brian C. Buescher
United States District Judge